

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

WILLIE C. ALEXANDER and )  
BELINDA N. PITMAN, )  
                          )  
                          *Plaintiffs,* )  
                          )  
                          )  
v.                      )                          Case No.: 2:05-cv-0449-WKW  
                          )  
                          )  
CERTEGY CHECK SERVICES, INC., )                          CLASS ACTION  
                          )  
                          *Defendant.* )  
                          )  
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**MOTION TO EXTEND DEADLINE FOR FILING  
CLASS CERTIFICATION MOTION**

COME NOW the Plaintiffs in the above-styled matter and hereby move this Honorable Court to extend the deadline for submitting any motion for class certification. As grounds, the Plaintiffs state the following:

1.       The Plaintiffs filed this lawsuit as a class action and intend to seek certification of a class in this case.
2.       The Court's February 22, 2006 Scheduling Order ("Order") established a deadline for filing any motion for class certification of May 23, 2006.
3.       The Plaintiffs initiated discovery in a good faith attempt to comply with the class certification deadline set forth by the Court's Order. After the consecutive stays were lifted in this case and the parties submitted their parties' planning report on February 14, 2006, the Plaintiffs promptly began requesting dates for the Defendant's deposition and propounded discovery requests on the Defendant on March 8 and 9, 2006, respectively. When the Defendant's discovery responses were served, Plaintiffs promptly requested that the Defendant voluntarily supplement its responses

to those requests. Despite several written and oral requests for deposition dates and supplemental responses, as well as a face-to-face meeting with defense counsel to discuss same, to date, the Plaintiffs have been unable to obtain sufficient responses, nor a date for the Defendant's deposition from the Defendant.

3. The Plaintiffs are hopeful that they finally will be able to resolve these discovery disputes without the Court's intervention by the end of this week; but if unsuccessful, they intend to file a motion to compel with the Court on Friday. Nonetheless, the deadline for the Plaintiffs' class certification motion will soon expire without Plaintiffs having received sufficient discovery from, or even a deposition of, the Defendant in sufficient time to brief class certification by the existing deadline. Because these discovery disputes will have to be resolved before the class certification motion can be fully or sufficiently briefed, the Plaintiffs will be unduly prejudiced without the Court's intervention.

For these reasons, the Plaintiffs respectfully requests the Court to grant its motion to extend the existing class certification deadline by 30 days.

/s/ Tammy McClendon Stokes

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 9th day of May, 2006, she served a copy of the foregoing by electronic mail on the following persons:

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Of Counsel